

RECEIVED  
CENTRAL FAX CENTER

FEB 27 2007

## FAX TRANSMISSION

DATE: February 27, 2007

PTO IDENTIFIER: Application Number 10/712,137-Conf. #8179  
Patent Number

Inventor: Jeffrey C. Braman et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: EDWARDS ANGELL PALMER & DODGE LLP  
Mark J. FitzGerald

PHONE: (617) 439-4444

Attorney Dkt. #: 2462(225436)

PAGES (Including Cover Sheet): 4

CONTENTS: Terminal Disclaimer (1 page)  
Fee Transmittal (1 page)  
Charge \$65.00 to deposit account 04-1105  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 439-4444 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

EDWARDS ANGELL PALMER & DODGE LLP  
P.O. Box 55874, Boston, Massachusetts 02205  
Telephone: (617) 439-4444 Facsimile: (617) 439-4170

PTO/STV97 (09-04)

Approved for use through 07/31/2006, OMB 0651 0031  
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

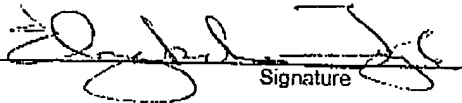
Application No. (if known): 10/712,137

Attorney Docket No.: 2462(225436)

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 27, 2007  
Date



Signature

Elizabeth Taylor

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

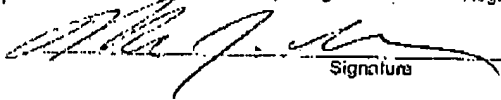
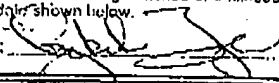
Terminal Disclaimer (1 page)

Fee Transmittal (1 page)

Charge \$65.00 to deposit account 04-1105

**RECEIVED  
CENTRAL FAX CENTER**

**FEB 27 2007**

<p align="right">P10/SR/25 (07-06) U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE</p> <p><small>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.</small></p>		<p align="right">Approved for use through 03/31/2007, OMB 0951-0031</p>
<p><b>TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION</b></p>		<p align="right">Docket Number (Optional) 2462(225436)</p>
<p>In re Application of: <u>Jeffrey C. Braman et al.</u></p> <p>Application No.: <u>10/712,137-Conf. #8179</u></p> <p>Filed: <u>November 13, 2003</u></p> <p>For: <u>COMPOSITIONS AND METHODS FOR PROTEIN ISOLATION</u></p>		
<p>The owner*, <u>Stratagene California</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number <u>10/987,388</u>, filed on <u>November 12, 2004</u>, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. <u>45,928</u></p> <p align="center"> Signature</p> <p align="right"><u>February 27, 2007</u> Date</p> <p align="center"><u>Mark J. FitzGerald</u> Typed or printed name</p> <p align="right"><u>(617) 430-4444</u> Telephone Number</p> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p> <p><small>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SO/96 may be used for making this statement. See MPEP § 324.</small></p>		
<p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273 8300, on the date shown below.</p> <p>Date: <u>February 27, 2007</u> Signature:  (Elizabeth Taylor)</p>		

02/28/2007 T10111 0000053 041105 10712137  
01 FC:2814 65.00 DA

FEB 27 2007

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 01/31/2007. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/09/2004.  
Fees payable to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL

### For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>		(\$)		65.00
<b>Application Number</b>		10/712,137-Conf. #8179		
<b>Filing Date</b>		November 13, 2003		
<b>First Named Inventor</b>		Jeffrey C. Braman		
<b>Examiner Name</b>		R. A. Wax		
<b>Art Unit</b>		1653		
<b>Attorney Docket No.</b>		2462(225436)		

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number 04-1105 Deposit Account Name Stratagene California

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims** 0 - 27 = 0 x 0 = 0 **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** 0 - 3 = 0 x 0 = 0 **Fee Paid (\$)**

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

(round up to a whole number) x

#### 4. OTHER FEE(S)

Description	Fee (\$)	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)		
Other (e.g., late filing surcharge): 2814 Statutory Disclaimer		
		65.00

**SUBMITTED BY**

Signature <u>[Signature]</u>	Registration No. <u>45,928</u>	Telephone <u>(617) 439-4444</u>
Name (Print/Type) <u>Mark J. FitzGerald</u>		Date <u>February 27, 2007</u>

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (877) 273-8300, on the date shown below.

Dated: February 27, 2007 Signature [Signature] (Elizabeth Taylor)